

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

Calvin James Reid,	)	C/A No.: 1:22-1687-SAL-SVH
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	ORDER
United States of America,	)	
	)	
Defendants.	)	
	)	

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An inmate states claims against the United States (“Defendant”) pursuant to the Religious Land Use and Institutionalized Persons Act (“RLUIPA”) and the Federal Tort Claims Act (“FTCA”). [ECF No. 36]. Defendant filed a motion to dismiss Plaintiff’s RLUIPA claim [ECF No. 39] and Plaintiff filed a motion to amend his complaint to remove his RLUIPA claim [ECF No. 46] without opposition [ECF No. 48]. Also before the court is Plaintiff’s motion to compel discovery [ECF No. 42] and Defendant’s motion to stay discovery pending resolution of its motion to dismiss. [ECF No. 43].

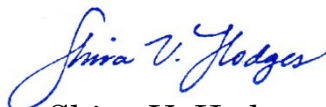
The court grants Plaintiff’s motion to amend the complaint. “As a general rule, an amended pleading ordinarily supersedes the original and renders it of no legal effect.” *Young v. City of Mount Ranier*, 238 F.3d 567, 573 (4th Cir.2001). Thus, Defendant’s motion to dismiss is rendered moot upon the filing of Plaintiff’s amended complaint. *See, e.g., Power Concepts*,

*LLC v. PowerSecure, Inc.*, C/A No. 8:14-00351-GRA, 2014 WL 3565847, at \*2 (D.S.C. July 18, 2014). Defendant's motion to stay discovery is likewise rendered moot. The court is issuing an amended scheduling pursuant to which the parties are directed to timely complete discovery, thereby rendering Plaintiff's motion to compel moot.

In sum, the court grants Plaintiff's motion to amend the complaint [ECF No. 46] and denies as moot Defendant's motion to dismiss [ECF No. 39], Defendant's motion to stay discovery [ECF No. 43], and Plaintiff's motion to compel [ECF No. 42]. The Clerk of Court is directed to file Plaintiff's amended complaint [ECF No. 46-2] and attachments [ECF Nos. 46-3, 46-4] in a separate docket entry, to which Defendant is to file an answer or responsive pleading by February 27, 2023.

IT IS SO ORDERED.

February 13, 2023  
Columbia, South Carolina



Shiva V. Hodges  
United States Magistrate Judge